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D.   **REMARKS**

1.   **Summary**

Claims 1-20 are currently pending in the application. Claims 1, 8, and 14 are independent claims and have been amended to correct an informality noticed by Applicants.   No claims have been added or cancelled.   Reconsideration of the claims is respectfully requested.

2.   **Examiner Interview**

Applicants note with appreciation the telephonic interview conducted between Applicants' patent agent, Scott Schmok, and the Examiner on June 21, 2004.   During the telephonic interview, the Examiner and Applicants' patent agent discussed the 103 reference (Kumar, et al., U.S. Patent No. 6,697,810). Generally, Applicants' patent agent discussed each of the Office Action's points in the Kumar reference that were used to reject particular elements of Applicants' claim 1, and emphasized the differences between Kumar's teachings and Applicants' invention.   In particular, Applicants' patent agent emphasized that Applicants claim "*retrieving a permitted user id list corresponding to a selected database, determining whether a user id is included in the permitted user id list, and reporting the user id in response to the determining.*" Applicants' patent agent pointed out that, in contrast, Kumar teaches the insertion of data context (e.g. metadata) into data, monitors the data context, and generates reports if the data context matches one or more trigger conditions.   The Examiner reviewed the Kumar reference during the interview, and suggested that Applicants' patent agent should respond to

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the Office Action whereupon the Examiner would review the response and the Kumar patent in more detail.

3. Drawings

Applicants note that the Examiner did not indicate whether the formal drawings, filed with Applicants' application, are accepted by the Examiner. Applicants respectfully request that the Examiner indicate whether the formal drawings are accepted in the next office communication.

4. Specification

Applicants note that the Examiner indicated that Applicants use the trademark "DB2" in the specification. Applicants have amended the specification to note the ownership of the DB2 mark by International Business Machines Corporation, the assignee of the instant application.

5. Claim Rejections 35 U.S.C. § 103, Alleged Obviousness

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,697,810 to Kumar et al. (hereinafter "Kumar") in view of U.S. Patent No. 6,529,909 to Micahael Bowman-Amuah (hereinafter "Bowman-Amuah"). Applicants respectfully traverse these rejections.

Applicants assert that the Office Action fails to establish a prima facie case of obviousness under § 103 as set forth in § 103 and the MPEP. MPEP 2142 states that:

> "To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a

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reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure."

Applicants assert that the Office Action fails to show that the prior art references teach or suggest **all** of Applicants' claim limitations. In particular, Applicants assert that the Office Action fails to view Applicants' invention as a "whole." MPEP 2141 states that *"When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to: (A) The claimed invention must be considered as a whole…"* In addition, MPEP 2143.03 states:

> "To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art…*All words in a claim* must be considered in judging the patentability of that claim against the prior art" (emphasis added)

Applicants assert that the Office Action fails to consider *all words* in Applicants' claims as a whole during their patentability judgment, which are described in greater detail below.

The independent claims are directed to "analyzing database security" and each include the limitations of:

- connecting to one or more servers, wherein each server includes an instance, the instance including one or more databases;

- selecting one of the databases;

- identifying a user id, wherein the user id has access to the selected databases;

- retrieving a permitted user id list corresponding to the selected database;

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- determining whether the user id is included in the permitted user id list; and

- reporting the user id in response to the determining.

With respect to the fourth element of claim 1, Applicants claim "*retrieving a permitted user id list corresponding to the selected database.*" In contrast, Kumar teaches adding "*the content and importance of the data to the business enterprise producing and/or receiving the data … in the data transmitted*" (col. 2, lines 21-24) and then teaches the retrieval of data whose flag corresponds to a particular business event.

Specifically, the Office Action reference to Kumar states:

> "Each business event is identified through the flagging (e.g. marking) of at least a portion of the retrieved data. Fig. 2 is a diagram illustrating exemplary data that is retrieved and flagged in accordance with one embodiment of the invention. In this example, the data that is retrieved has been flagged for use by a business that receives and processes orders. As shown, the data that is retrieved can include one or more values associated with one or more fields, which may vary with the business and purpose for which the data is used."

> (col. 10, lines 1-10,).

As can be seen, Kumar does not even suggest the retrieval of a permitted id list. Kumar teaches the inclusion of data flags such that a business entity may flag particular data that is relevant to the business entity, which is entirely different than Applicants claimed invention. It is clear, therefore, that Kumar does not teach or suggest, in whole or in part, "*retrieving a permitted user id list corresponding to*

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the selected database" as claimed by Applicants. The Office Action does not contend that Bowman-Amuah teaches such limitation, and indeed it does not. Therefore, neither Kumar or Bowman-Amuah, taken together or separately, teach or suggest Applicants' claimed limitation of *"retrieving a permitted user id list corresponding to the selected database."*

With respect to the fifth element of claim 1, Applicants claim *"determining whether the user id is included in the permitted user id list."* In contrast, Kumar teaches the use of "security rules" (e.g. policies) to indicate a user's privileges, such as read access or read/write access. The section of Kumar cited in the Office Action as allegedly teaching this limitation states as follows:

> "...a first security group 3212 is associated with a first set of access rules 3214 and a second security group 3216 is associated with a second set of access rules 3218. As shown, the first set of access rules 3214 indicates that the user has read access for exception for which the user is notified. Similarly, the second set of access rules 3218 includes two rules. the first rule indicates that the user has read and write access for exceptions created by a monitor object that was authorized by the user. The second rule indicates that the user has read access for exceptions with an analysis authored by someone in their company."

(col. 32, lines 55-65)

As can be seen, Kumar does not even reference the determination of whether a user id is included in the permitted user id list. Furthermore, and as discussed above, Kumar does not teach or suggest the retrieval or use of a permitted user id list. Therefore, it is apparent that Kumar does not teach or suggest, in whole or in part, *"determining*

whether the user id is included in the permitted user id list" as claimed by Applicants.

With respect to the sixth element of claim 1, Applicants claim "reporting the user id in response to the determining." In contrast, Kumar teaches "reporting the satisfaction of one or more trigger conditions ..." (col. 19, lines 55-56). In other words, Kumar merely teaches that a trigger condition may be a "business event [that indicates] that an order has been received ..." (col. 10, lines 14-15). Importantly, Kumar does not teach or suggest, in whole or in part, "*reporting the user id in response to the determining,*" as taught and claimed by Applicants. The Office Action does not contend that Bowman-Amuah teaches this limitation, and indeed it does not. Therefore, neither Kumar or Bowman-Amuah, taken together or separately, teach or suggest Applicants' claimed limitation of "*retrieving a permitted user id list corresponding to the selected database.*"

Lastly, with respect to claim 1 as a whole, Applicants assert that the Office Action fails to show that Kumar or Bowman-Amuah teach or suggest **all** of Applicants' claim limitations. Applicants consistently refer to particular elements in claim 1, whereas the Office Action uses different terms found in prior art references and improperly applies these dissimilar terms to Applicants' claimed elements. For example, claim 1's fourth element includes the limitation of "*retrieving a permitted user id list corresponding to the selected database*" and claim 1's fifth element includes the limitation of "*determining whether the user id is included in the permitted user id list.*" The Office Action does not consider claim 1 as a whole because, while rejecting

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particular elements of claim 1, the Office Action inconsistently uses Kumar terms. Specifically, in its rejection to the forth element of claim 1, the Office Action associates Kumar's "data flags" to Applicants "permitted user id list" whereas in its rejection to the fifth element of claim 1, the Office Action associates Kumar's "security rules" to Applicants' "permitted user id list." This inconsistency in applying prior art terms to Applicants' claimed elements buttresses Applicants' assertion that Applicants' claim 1 was not considered as a whole as required by the MPEP.

Therefore, as discussed above, since neither Kumar nor Bowman-Amuah teach or suggest, in whole or in part, either alone or in combination with one another, all of the limitations of Applicants' claim 1, claim 1 is in condition for allowance. Claim 8 is an information handling system claim including the same limitations of claim 1 and, therefore, is allowable for the same reason as claim 1. Claim 14 is a computer program product claim including the same limitations of claim 1 and, therefore, is allowable for the same reason as claim 1.

Notwithstanding the fact that claim 2 is dependent upon claim 1 and therefore allowable for the same reasons as claim 1, claim 2 adds the limitations to claim 1 of:

- retrieving a resolution corresponding to the determining; and

- including the resolution in the reporting.

Applicants claim "*retrieving a resolution..and including the resolution in [a report],*" such as "*removing a user id for a directory access list*" (page 12, lines 13-15). In contrast,

Kumar does not teach the reporting of a **resolution**, but rather teaches "*reporting the satisfaction of one or more trigger conditions*" (col. 19, lines 55-56), emphasis added) where Kumar teaches that a trigger condition may be a "*business event [that indicates] that an order has been received ...*" (col. 10, lines 14-15, emphasis added), but **does not** teach including a resolution to the trigger condition in a report.

Since neither Kumar or Bowman-Amuah teach or suggest, in whole or in part, "*retrieving a resolution...and including the resolution in the reporting*" as claimed by Applicants, claim 2 is in condition for allowance. Claim 9 is an information handling system claim including the same limitations of claim 2 and, therefore, is allowable for the same reason as claim 9. Claim 15 is a computer program product claim including the same limitations of claim 2 and, therefore, is allowable for the same reason as claim 2.

Notwithstanding the fact that claim 6 is dependent upon claim 1 and therefore allowable for the same reasons as claim 1, claim 6 adds the limitations to claim 1 of:

- wherein the permitted user id list is selected from the group consisting of a database instance owner, a sysadm group, and a sysmaint group.

First, as discussed above, Kumar never teaches or suggests the use of a permitted user id list and, therefore, never teaches or suggests "types" of permitted user id lists as claimed by Applicants. Second, areas of the Kumar reference that are used to reject Applicants' claim 6 teach the following:

a) reporting the satisfaction of one or more trigger conditions (col. 19, lines 55-59),

b) firing a timer corresponding to a trigger condition (Figure 27), and

c) providing access to a portion of data (Abstract).

Neither Kumar nor Bowman-Amuah, alone or together, teach or suggest types of permitted user id lists as claimed by Applicants, and, therefore, it is apparent that neither reference teaches nor suggests types of permitted user id lists as claimed by Applicants. Therefore, since neither reference teach or suggest, alone or in combination with one another, "*wherein the permitted user id list is selected from the group consisting of a database instance owner, a sysadm group, and a sysmaint group*" as claimed by Applicants, claim 6 is also allowable over Kumar in view of Bowman-Amuah.

Claim 12 is an information handling system claim including the same limitations of claim 6 and, therefore, is allowable for the same reason as claim 6. Claim 19 is a computer program product claim including the same limitations of claim 6 and, therefore, is allowable for the same reason as claim 6.

Each of the remaining claims, 3-5,7, 10, 11, 13, 16-18, and 20 each depend, directly or indirectly, on one of the allowable independent claims 1, 8, and 14. Therefore, claims 3-5,7, 10, 11, 13, 16-18, and 20 are also allowable for at least the same reasons that the respective independent claims are allowable.
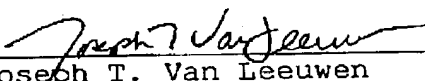
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CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the claims in the Application are in condition for allowance, and Applicants respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner contact the Applicants' attorney listed below if the Examiner believes that such a discussion would be helpful in resolving any remaining questions or issues related to this Application.

Respectfully submitted,

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